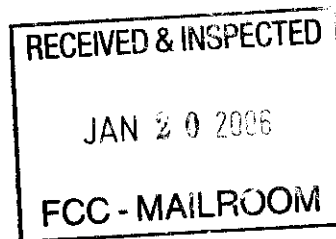


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OROVILLE CITY ELEMENTARY SCHOOL DISTRICT

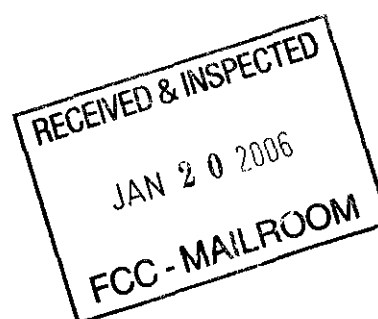
FACSIMILE TRANSMITTAL SHEET

TO:	FCC Estate Appeal	FROM:	Jim Galloway
COMPANY:	FCC	DATE:	1/20/2006
FAX NUMBER:	202-418-0187	TOTAL NO. OF PAGES INCLUDING COVER:	11
PHONE NUMBER:		SENDER'S REFERENCE NUMBER:	
RE:	Appeal of SLD Denial of Funding	YOUR REFERENCE NUMBER:	

☐ URGENT ☒ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY ☐ PLEASE RECYCLE

NOTES/COMMENTS:

Please review the attached Documents.





OROVILLE CITY ELEMENTARY SCHOOL DISTRICT

2795 YARD STREET, OROVILLE, CA 95966-5113

(530) 532-3000

DONALD L. REMLEY, Ed. D.
Superintendent
Extension 3001
(530) 532-3050 FAX

ANDREA DUNN
Associate Superintendent
Human Resources
Extension 3002

SUSAN JEFFERS, C.P.A.
Asst. Superintendent, Business
Extension 3008
(530) 532-3030 FAX

JENNIFER BELLAMY, Ed.D.
Director of Special Education
(530) 532-3001

LYNNE C. VINCENT, Ed.D.
Director of Instruction
(530) 532-5690, Extension 105

BOARD OF TRUSTEES:

KATHY WHITE
President

TOMASA FRAZIER
Vice President

STEVEN ONKEN
Clerk

GALE L. GLENN, Ed.D.
Member

PAUL KAFADER III
Member

SCHOOLS:

BIRD STREET SCHOOL
1421 Bird Street
Orville, CA 95965-4783
(530) 532-3001
(530) 532-3041 FAX

CENTRAL MIDDLE SCHOOL
2565 Mesa Avenue
Orville, CA 95966-4000
(530) 532-3002
(530) 532-3042 FAX

EASTSIDE SCHOOL
2775 Yard Street
Orville, CA 95966-5113
(530) 532-3003
(530) 532-3043 FAX

OAKDALE HEIGHTS SCHOOL
2255 Los Plumas Avenue
Orville, CA 95966-6920
(530) 532-3004
(530) 532-3044 FAX

OPHIR SCHOOL
210 Oakvale Avenue
Orville, CA 95966-9494
(530) 532-3005
(530) 532-3045 FAX

SIERRA DEL ORO
2900 Wyandotte Avenue
Orville, CA 95966-6539
(530) 532-5690
(530) 532-5691 FAX

STANFORD AVENUE SCHOOL
1801 Stanford Avenue
Orville, CA 95966-5231
(530) 532-3006
(530) 532-3046 FAX

WYANDOTTE AVENUE SCHOOL
2800 Wyandotte Avenue
Orville, CA 95966-6538
(530) 532-3007
(530) 532-3047 FAX

Federal Communications Commission
Office of the Secretary
445 12th Street, SW
Room TW-A325
Washington, DC 20554

January 20, 2006

RE: Letter of Appeal of Denial of Appeal to SLD
CC Docket No. 96-45 and 02-6

Dear Sir or Madam:

RECEIVED & INSPECTED

JAN 20 2006

FCC - MAILROOM

This letter is intended to appeal the Funding denial letters dated November 22, 2005. Forms 471: 404097, 407803, 403454, 403493, 403418, 397822, 407371. FRN's: 1106681, 1106735, 1117028, 1104346, 1104229, 1115234, 1116062. Oroville City Elementary School District, (Entity #144670), funding year 2004, FCC registration number 1538602.

"The denial letter wrote; after a thorough review of the appeal and all relevant supporting documentation, it was determined that Oroville City Elementary School District had undergone an Item 25 Selective Review. In response to the issued SRIR, you provided an approved 2004-2005 Building Fund Budget and General Fund Budget, you identified \$32,391.74 to pay for the districts share of E-rate. It was determined that within the Building Fund Budget, you identified \$65,492.00 to pay for the Districts share of E-rate. This results in a total of \$97,883.74, which falls short of the District's total share of E-Rate (\$187,460.47). Rules of support..."

There is much more than the dollars mentioned highlighted in the budget we sent. What we highlighted in the budget more than covers the erate matching.

On page 10 of the General fund budget we show \$56,931 for staff development and \$25,000 for software purchases. On page 11 we show \$22,629 for E-rate equipment match, \$14,773 for Professional Development, \$15,000 for LAN costs, \$10,000 for electrical upgrades and \$32,391.74 for telecom matching funds.

On page 7 of the Building Fund Budget we show \$150,000 for building improvement. This \$150,000 is part of \$5,562,003 Capital Outlay budget of this \$2,562,003 has gone directly to a new school site of which network infrastructure is a \$200,000 cost.

I am attaching the relevant budget pages. These are the same pages with the same notations that have been sent before. I believe that you have all the documentation available to you as I have sent it twice both for the original Item 25 review and the subsequent appeal. Please call or email me if further information or clarity of the documentation is required.

Sincerely,

Jim Galloway
Oroville City Elementary School District
2795 Yard Street
Oroville, Ca
530-532-3008 v: 530-532-3048 f
jgalloway@occsd.org

Call-0 Entity # 144670

Budget

Description	Resource Codes	Object Codes	2003/04 Estimated Actuals	2004/05 Budget	Percent Difference
A. REVENUES					
1) Revenue Limit Sources		8010-8099			
2) Federal Revenue		8100-8299	0.00	0.00	0.0%
3) Other State Revenue		8300-8599	0.00	0.00	0.0%
4) Other Local Revenue		8600-8799	50,000.00	30,000.00	-40.0%
5) TOTAL REVENUES			50,000.00	30,000.00	-40.0%
B. EXPENDITURES					
1) Certificated Salaries		1000-1999			
2) Classified Salaries		2000-2999	0.00	0.00	0.0%
3) Employee Benefits		3000-3999	0.00	0.00	0.0%
4) Books and Supplies		4000-4999	0.00	0.00	0.0%
5) Services, Other Operating Expenses		5000-5999	50,000.00	20,000.00	-60.0%
6) Capital Outlay		6000-6999	150,000.00	5,562,003.00	3608.0%
7) Other Outgo (excluding Transfers of Indirect/Direct Support Costs)		7100-7299, 7400-7499	0.00	0.00	0.0%
8) Transfers of Indirect/Direct Support Costs		7300-7399			
TOTAL EXPENDITURES			200,000.00	5,562,003.00	2691.0%
EXCESS (DEFICIENCY) OF REVENUES OVER EXPENDITURES BEFORE OTHER FINANCING SOURCES AND USES (A5 - B9)			(150,000.00)	(5,562,003.00)	3601.3%
OTHER FINANCING SOURCES/USES					
1) Interfund Transfers					
a) Transfers In		8910-8929	0.00	0.00	0.0%
b) Transfers Out		7610-7629	0.00	0.00	0.0%
2) Other Sources/Uses					
a) Sources		8930-8979	0.00	0.00	0.0%
b) Uses		7630-7699	0.00	0.00	0.0%
3) Contributions		8980-8999			
4) TOTAL OTHER FINANCING SOURCES/USES			0.00	0.00	0.0%

* See page 7 Item 25 Worksheet 1-B
 Applicant's Share of Internal connections

Description	Resource Codes	Object Codes	2003/04 Estimated Actuals	2004/05 Budget	Percent Difference
CAPITAL OUTLAY					
Sites and Improvements of Sites		6100	0.00	3,000,000.00	New
Buildings and Improvements of Buildings	*	6200	150,000.00	2,582,003.00	1608.0%
Books and Media for New School Libraries or Major Expansion of School Libraries		6300	0.00	0.00	0.0%
Equipment		6400	0.00	0.00	0.0%
Equipment Replacement		6500	0.00	0.00	0.0%
TOTAL CAPITAL OUTLAY			150,000.00	5,582,003.00	3608.0%
OTHER OUTGO (excluding Transfers of Indirect/Direct Support Costs)					
Other Transfers Out					
All Other Transfers Out to All Others		7299	0.00	0.00	0.0%
Debt Service					
Repayment of State School Building Fund Aid - Proceeds from Bonds		7435	0.00	0.00	0.0%
Debt Service - Interest		7438	0.00	0.00	0.0%
Other Debt Service - Principal		7439	0.00	0.00	0.0%
TOTAL OTHER OUTGO (excluding Transfers of Indirect/Direct Support Costs)			0.00	0.00	0.0%
TOTAL EXPENDITURES			200,000.00	5,582,003.00	2691.0%

* Item 25 Worksheet

I-B. Form 471 Applicant's Share

Internal Connections

The District is building a new school and wiring is included in cost of building additions.

Unrestricted and Restricted
Expenditures by Object

			2003/04 Estimated Actuals			2004/05 Budget			
Description	Resource Codes	Object Codes	Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	% Diff Column C & F
CERTIFICATED SALARIES									
Teachers' Salaries		1100	7,778,215.00	2,312,085.00	10,090,300.00	7,701,213.00	2,057,304.00	9,758,517.00	-3.3%
Certificated Pupil Support Salaries		1200	195,849.00	227,340.00	423,189.00	51,598.00	349,281.00	400,859.00	-5.3%
Certificated Supervisors' and Administrators' Salaries		1300	792,039.00	103,954.00	895,993.00	749,919.00	135,410.00	885,329.00	-1.2%
Other Certificated Salaries		1900	0.00	0.00	0.00	0.00	19,914.00	19,914.00	New
TOTAL, CERTIFICATED SALARIES			8,766,103.00	2,643,379.00	11,409,482.00	8,502,730.00	2,581,889.00	11,084,619.00	-3.0%
CLASSIFIED SALARIES									
Instructional Aides' Salaries		2100	55,000.00	868,013.00	923,013.00	55,417.00	832,224.00	887,641.00	-3.8%
Classified Support Salaries		2200	932,466.00	269,740.00	1,202,206.00	867,647.00	192,591.00	1,060,238.00	-10.1%
Classified Supervisors' and Administrators' Salaries		2300	155,306.00	0.00	155,306.00	155,389.00	0.00	155,389.00	0.1%
Clerical and Office Salaries		2400	659,745.00	105,199.00	764,944.00	634,447.00	155,824.00	790,271.00	3.3%
Other Classified Salaries		2900	0.00	29,442.00	29,442.00	19,270.00	82,480.00	81,730.00	177.6%
TOTAL, CLASSIFIED SALARIES			1,802,517.00	1,272,394.00	3,074,911.00	1,752,180.00	1,243,099.00	2,995,279.00	-2.6%
EMPLOYEE BENEFITS									
STRS		3101-3102	740,898.00	208,345.00	949,243.00	701,147.00	211,049.00	912,196.00	-3.9%
PERS		3201-3202	175,713.00	46,252.00	221,965.00	200,522.00	128,856.00	329,378.00	48.4%
OASDI/Medicare/Alternative		3301-3302	269,698.00	119,888.00	389,586.00	258,787.00	130,501.00	389,288.00	-0.1%
Health and Welfare Benefits		3401-3402	1,379,909.00	518,888.00	1,898,797.00	1,829,109.00	687,786.00	2,516,895.00	22.0%
Unemployment Insurance		3501-3502	32,212.00	14,514.00	46,726.00	86,381.00	22,581.00	88,972.00	90.4%
Workers' Compensation		3601-3602	284,552.00	93,081.00	377,633.00	312,606.00	105,697.00	417,703.00	10.8%
Retiree Benefits		3701-3702	125,577.00	4,417.00	129,994.00	155,913.00	24,948.00	180,861.00	39.1%
PERS Reduction		3801-3802	9,283.00	23,044.00	32,327.00	7,223.00	14,331.00	21,554.00	-33.3%
Other Employee Benefits		3901-3902	7,000.00	630.00	7,630.00	6,600.00	0.00	6,600.00	-14.8%
TOTAL, EMPLOYEE BENEFITS			3,024,842.00	1,029,059.00	4,053,901.00	3,338,168.00	1,325,139.00	4,663,307.00	15.0%
BOOKS AND SUPPLIES									
Approved Textbooks and Core Curricula Materials		4100	20,000.00	113,815.00	133,815.00	0.00	120,065.00	120,065.00	-10.3%
Books and Other Reference Materials		4200	7,800.00	72,448.00	80,248.00	8,600.00	31,513.00	40,113.00	-50.0%
Materials and Supplies		4300	328,016.00	982,346.00	1,310,362.00	322,847.00	267,198.00	589,845.00	-55.0%

Local County

Description	Resource Codes	Object Codes	2003/04 Estimated Actuals			2004/05 Budget			% Diff Column C & F
			Unrestricted (A)	Restricted (B)	Total Fund col. A + B (C)	Unrestricted (D)	Restricted (E)	Total Fund col. D + E (F)	
Noncapitalized Equipment		4400	61,337.00	51,763.00	113,100.00	20,100.00	25,140.00	45,240.00	-60.0%
Food		4700	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
TOTAL BOOKS AND SUPPLIES			417,153.00	1,220,372.00	1,637,525.00	351,347.00	443,937.00	795,284.00	-51.4%
SERVICES, OTHER OPERATING EXPENSES									
Travel and Conferences		5200	24,775.00	22,123.00	46,898.00	25,586.00	51,006.00	76,592.00	63.3%
Dues and Memberships		5300	9,689.00	1,650.00	11,339.00	11,117.00	850.00	12,067.00	6.4%
Insurance		5400 - 5450	125,000.00	0.00	125,000.00	125,000.00	0.00	125,000.00	0.0%
Operation and Housekeeping Services		5500	550,000.00	0.00	550,000.00	525,000.00	0.00	525,000.00	-4.5%
Rentals, Leases, Repairs, and Noncapitalized Improvements		5600	85,015.00	218,894.80	303,909.80	150,181.00	161,893.00	312,074.00	3.0%
Transfers of Direct Costs		5710	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Transfers of Direct Costs - Interfund		5750	0.00	0.00	0.00	0.00	0.00	0.00	0.0%
Professional/Consulting Services and Operating Expenditures		5800	236,485.00	1,008,851.00	1,245,336.00	237,238.00	817,708.00	1,054,946.00	-31.3%
Communications		5900	43,700.00	8,555.00	52,255.00	50,000.00	15,875.00	65,875.00	26.1%
TOTAL SERVICES AND OTHER OPERATING EXPENSES			1,075,844.00	1,258,073.80	2,333,917.80	1,124,134.00	847,430.00	1,971,564.00	-15.5%

Item 25 Worksheet Details

E-Rate Equipment 50% = \$22,620

Professional Development E-Rate \$14,723

LAN Contract not E-Rate \$15,000

Retrofitting Electrical \$10,000 E-Rate

Telecom E-Rate Share \$2,391.74 Section 1-B

All letters say the
same thing so here
is one



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2004-2005

November 22, 2005

Jim Galloway
Oroville City Elementary School District
2795 Yard Street
Oroville, CA 95966

Re: Applicant Name: OROVILLE CITY ELEM SCHOOL DIST
Billed Entity Number: 144670
Form 471 Application Number: 407371
Funding Request Number(s): 1116062
Your Correspondence Dated: October 31, 2005

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of SLD's Funding Year 2004 Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of SLD's decision. The date of this letter begins the 60-day time period for appealing this decision to the Federal Communications Commission (FCC). If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1116062
Decision on Appeal: Denied
Explanation:

- On appeal, you state that you disagree with the Commitment Adjustment Letter decision that you failed to demonstrate that the District possessed at the time of the Form 471 filing the financial resources necessary to pay the non-discounted portion as well as the other items that were outlined in the technology budget submitted. You state that you have been working with the E-rate program since its inception and have always answered numerous inquiries each year including a similar Selective Review in Funding Year 2001. You state that you responded to every inquiry made during the Selective Review process and provided all requested documentation. You include all of the documentation that was submitted to the SLD during the course of the Selective Review in support of your appeal.

- After a thorough review of the appeal and all relevant supporting documentation, it was determined that Oroville City Elementary School District had undergone an *Item 25 Selective Review*. In response to the issued SRIR, you provided an approved 2004-2005 Building Fund Budget and General Fund Budget. It was determined that within the General Fund Budget, you identified \$32,391.74 to pay for the District's share of E-Rate. It was determined that within the Building Fund Budget, you identified \$65,492.00 to pay for the District's share of E-Rate. This results in a total of \$97,883.74, which falls short of the District's total share of E-Rate (\$187,460.47). Rules of this Support Mechanism do not permit the SLD to accept and review any information on appeal except in circumstances where an applicant was not given an opportunity to provide information during the initial review or when an error was made by SLD.
- SLD's review of your application indicated that the information you provided during the Item 25 review was not sufficient to demonstrate that, at the time you submitted your Form 471 application, you had secured access to these funds. In your appeal, you did not demonstrate that at the time you submitted your Form 471 application, you had secured access to these funds. Consequently, SLD denies your appeal.
- FCC rules require applicants to certify that, at the time they submit the FCC Form 471, they have secured access to all of the resources, including computers, training, software, maintenance, and electrical connections necessary to make effective use of the products and services purchased as well as to pay the non-discounted charges for eligible products and services. 47 C.F.R. § 54.504(b); FCC Form 471, Block 6 Item 25. SLD reviews this certification by conducting an Item 25 "necessary resources" review. The FCC has emphasized the importance of conducting this review to protect the integrity of the schools and libraries support mechanism. *Request for Review by New Orleans Public Schools, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of National Exchange Carrier Association, Inc.*, CC Docket Nos. 96-45 and 97-21, Order, 16 FCC Rcd. 16,653, DA 01-2097 (rel. Sep. 18, 2001). This rule requires the applicant to pay its service provider the full cost of the non-discounted portion owed to the service provider from the funds budgeted within that funding year.

If your appeal has been approved, but funding has been reduced or denied, you may appeal these decisions to either the SLD or the FCC. For appeals that have been denied in full, partially approved, dismissed, or canceled, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be received or postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

Jim Galloway
Oroville City Elementary School District
2795 Yard Street
Oroville, CA 95966

Billed Entity Number: 144670
Form 471 Application Number: 407371
Form 486 Application Number: